1		
2		
3		JS - 6
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	CENTRAL DISTRICT OF CALIFORNIA	
10		
11	INDYMAC VENTURE, LLC,) CASE NO. CV 08-06702-RGK (CWx)
12	Plaintiff,))
13	VS.	ORDER REMANDING CIVIL ACTION TO
14	PRIVATE ISLAND HOMES, INC., a) SUPERIOR COURT
15	California corporation; and VINCENT J. ROVER, an individual,	
16	Defendants.)
17)
18	On October 10, 2008, the Federal Deposit Insurance Corporation ("FDIC"), as Conservator for	
19	IndyMac Federal Bank, F.S.B. removed this action to this Court pursuant to 12 U.S.C. § 1819(b)(2)(B).	
20	On May 1, 2009, pursuant to the parties' stipulation, the Court substituted Indymac Venture,	
21	LLC into this action as plaintiff in the place of Plaintiff FDIC, as Conservator for IndyMac Federal	
22	Bank, F.S.B.	
23	On May 11, 2009, the Court held a Scheduling Conference, during which it noted that since the	
24	FDIC was no longer a party, it appeared that the Court no longer had subject matter jurisdiction. Thus,	
25	the Court ordered counsel to file briefs regarding federal subject matter jurisdiction by May 25, 2009.	
26	On May 26, 2009, Plaintiff Indymac Venture LLC filed its brief regarding federal subject matter	
27	jurisdiction, in which it stated that it did not op	pose remand of this action to state court.
28		

To date, counsel for Defendants has failed to file its brief regarding federal subject matter jurisdiction. In light of the fact that the FDIC is no longer a party and there does not appear to be any other basis for this Court to exercise subject matter jurisdiction, the Court finds that it lacks subject matter jurisdiction over this action. Thus, the above-entitled case is ordered **remanded** to Superior Court for all further proceedings for lack of subject matter jurisdiction. **DATED:** June 3, 2009 UNITED STATES DISTRICT JUDGE